

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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COSUD INTELLECTUAL PROPERTY  
SOLUTIONS, P.C.

Plaintiff,

v.

**ORDER AND JUDGMENT**

VOLANT HOLDINGS GmbH,

19-CV-11901 (PMH)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

On July 6, 2022, the Court, *inter alia*, granted default judgment on liability against Volant Holdings GmbH (“Defendant”) on Plaintiff’s Second Claim for Relief for breach of contract and in the alternative its Fourth Claim for Relief for quantum meruit, and directed a damages inquest by affidavit.

Plaintiff, in compliance with the Court’s order, submitted an affidavit by a person with personal knowledge, together with exhibits. (Doc. 85). In light of the Court’s July 6, 2022 Order, many of the items in Plaintiff’s submission were unnecessary to the calculation of damages, and restated issues already expressly or implicitly ruled upon. However, many of the deficiencies raised by the Court at the July 6, 2022 conference were cured. With respect to the work performed by Plaintiff for Defendant, as set forth in Doc. 67-26 of Plaintiff’s earlier presentation, the missing invoices were submitted to the Court. (*See* Doc. 85-4). Plaintiff stated under oath that the invoices addressed to Therasyn Sensors, Inc. (Invoice Nos. 12619, 12961, 12710, 13001, 13038, 13034, 13100) were inadvertently addressed to that entity for services actually rendered to Defendant. (Doc. 85 ¶ 11; Doc. 87 ¶ 3). Plaintiff also presented Invoice No. 13156 correcting and in lieu of Invoice No. 13157 (Doc. 85-5), which the Court accepts. (Doc. 85 ¶ 12). The Court

finds, therefore, that Plaintiff is entitled to an award of \$330,321.92 in its favor against Defendant for work performed by Plaintiff directly for Defendant.

Accordingly, it is hereby

**ORDERED, ADJUDGED, AND DECREED** that Plaintiff COSUD INTELLECTUAL PROPERTY SOLUTIONS, P.C. have judgment against Defendant VOLANT HOLDINGS GmbH, in the total amount of \$330,321.92, together with interest therein from the date of this Order and Judgment at the rate of 9% per annum until the Judgment is paid in full.

SO-ORDERED:

Dated: White Plains, New York  
August 12, 2022



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Philip M. Halpern  
United States District Judge